

TEAMSTER POWER OUTAGE!

Teamster President Hoffa promised to "Restore the Power." Has he?

Are we better off now than we were five years ago when Hoffa took office? What will it take to save our union?

Those are the questions that TDU will examine in a forthcoming study of the decline of Teamster Power and the performance of the Hoffa administration in its first five years.

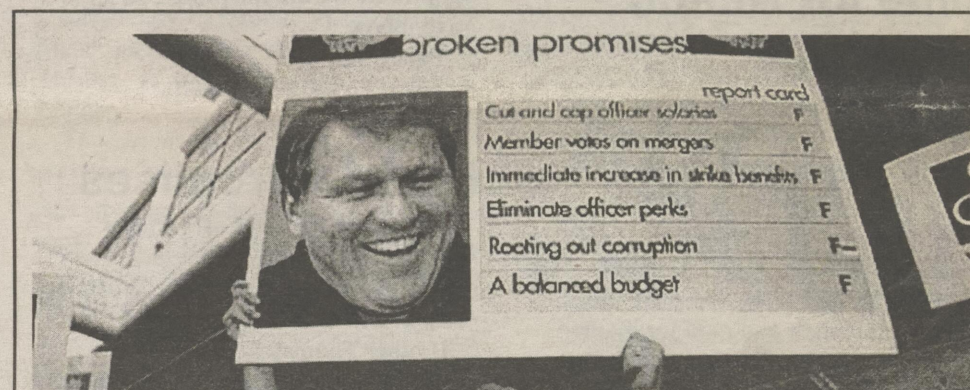
But first we want to hear from you.

► Do you think Hoffa, Keegel and other top IBT officials have delivered on their election promises?

► Is our union headed in the right direction?

► What obstacles stand in the way of greater Teamster Power? What do we need to do to overcome them?

Send your thoughts to us by mail or contact us at feedback@tdu.org. TDU will include your opinions in our upcoming report.



Promises vs. Performance

James P. Hoffa, *the candidate*, promised Teamster members: "No Dues Increase," "Real 25 & Out Pensions," "A Union that Organizes the Unorganized," and a "Corruption-Free Union."

Hoffa, *the General President*, delivered the biggest dues increase in Teamster history, pension cuts, a declining membership and an anti-corruption program that is more than three years behind schedule.



"In hard times, union leaders need to be huddling with the members and rallying the troops to fight back. Instead, Hoffa is huddling in his office, while paid staff churn out PR.

"That's not taking leadership; that's taking a pass. And members and local officers are left holding the bag.

"We need to act now to save our union. Our upcoming report on the decline of Teamster power will take on the hard questions about what's gone wrong—and what we can do to change it."

Sandy Pope, TDU International Steering Committee
Secretary-Treasurer, New York Local 805

Letters From Our Members

Fire Hoffa

I am hearing a lot of talk about people wanting to drop out of the union because of the pension reductions. This is just what the big companies want. If we don't have a contract to go by, the companies will really run all over us.

There is also talk about UPS and all Teamster companies taking over our pension plans. If they do, NO one, but NO one, will have a pension in five or six years. Think about it!

I know that Hoffa and his leaders are falsifying reports on our pension and health and welfare insurance, but we have TDU standing beside us, and together we can beat Hoffa. He is up for re-election in 2006, and we need to fire him and all of his leaders and followers and get new leadership in our union.

Let's stick together, and please join TDU. They are the only organization standing up for us Teamsters, and they need funds for legal fees and the work they do in order to keep us informed. Think about it!

Bob Lovins
Local 217, UPS, retired
Jackson, Tenn.

Time for Action

I just read *Time* magazine of Feb 2, 2004. I now believe that the entire IBT should be leading the fight in a Boston Tea Party type of event against the drug companies in America to get rid of their control of our health care system in America.

Something drastic needs to happen. We can't do it through Congress anymore. They are all bought and paid for by the drug companies. Medicine should be available at the cheapest prices in the world for all Americans. Only a grassroots effort will be effective.

Bill Polakiewicz
Local 991, UPS
Mobile, Ala.

Vote Them Out

I believe it is widely known that Jimmy Hoffa Sr. took hard earned pension dollars from the Central States Pension Fund and funded the construction of Las Vegas casinos. Although I am not against casinos

or any union workers who work there, I am opposed to funding something with our funds without a return on our money. Perhaps its time to collect our investment. (Fat Chance!) I am sure \$250 million in the 1950s would now be worth many billions. Enough to have taken care of this pension crisis easily. Hoffa Jr. is just like his father. Vote these clowns out of office.

J. Michael Stinson
Local 878, UPS
Little Rock, Ark.

Equal Cuts?

After all of these [pension] cuts were done, I wonder if, in the interest of preserving the funds financial status, any of the executives or administrative personnel of Central States were given a pay cut, or pay raise.

Charles Boddie
Local 767, UPS
Dallas

Go To It Now!

If we the members let the IBT get away with this farce of no 25- and 30- and- out pension and increased health insurance costs, it will mean the end of our power. We are the power, so let's go to it now.

Perry Samples
Local 728, UPS, retired
Atlanta

Broken Promises

The following letter was sent to Thomas Nyhan, executive director and general counsel of the Central States Pension and Health and Welfare Fund.

Brother Thomas C. Nyhan:

Or should I say brother? A brother is not supposed to harm a brother or sister Teamster, but that is what you have done to many who have worked all of these years trying to secure a good retirement.

I didn't put in 30 years of service — I put in 39 years. Years of hard work, working night and day on cold freight docks, driving over ice and snow and walking picket lines. I didn't put up with all of the BS from the companies because I liked it, but because I knew that when the time came to retire there

would be funds there for my pension and for those of my brothers and sisters.

Now that I have retired you and your buddies, union and company, have put a knife to my benefits under the pretense of stock market losses.

These cuts can only be the result of the bad management and lack of good judgement on the part of people who were to see that good contracts were negotiated and sufficient funds secured to maintain and improve our pensions.

There are a lot of people getting paid hundreds of thousands of dollars to do a job that is not getting done. Someone should be held accountable. Accountability should start from the top down. Instead all we have heard is excuses and passing the buck.

When I retired I was looking forward to a secure future. Like many other Teamsters, I saved and planned ahead knowing how much my pension would be. But now, instead of being able to sit back and enjoy what we have worked so long to gain, we are having to fight the very people in whom we put trust and faith.

I am proud to be a Teamster. But I cannot say that I am proud of some who claim that they are Teamsters. Broken promises — that's all we have seen from Hoffa and his people.

Hoffa said that the national negotiating committee had secured enough money to at least maintain the current level of benefits, with the possibility of improvements in later years. Accountability? Responsibility? No.

I started out in the Teamsters when a man named Jimmy Hoffa was head of the union. This man was a Teamster, not perfect, but he gave of himself. Thank you Jimmy Sr. But Junior is another story. He will be remembered also, but in a very different way. Junior will be remembered as just another one of those who only helped themselves to perks and multiple salaries and pensions, while turning their backs to the needs of the members.

Benny Stephenson
Local 728, retired
Atlanta

TDU International Steering Committee

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Joe Fahey, Watsonville, Calif., Local 912
Maria Martinez, Pasco, Wash., Local 556
Michael Ruscigno, New York Local 802
Michael Savoir, Kansas City, Mo., Local 41

Organizer:

Ken Paff, Detroit

Trustees:

Willie Hardy, Memphis Local 667
Erik Jensen, Minneapolis Local 320
Matt Latzo, Baltimore Local 311

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John DePietro, Syracuse, N.Y., Local 317
Jona Fleurimont, New York City Local 854
Frank Halstead, Los Angeles Local 572
Jim Jacob, Providence, R.I. Local 251
Roy Kruchten, Chicago Local 705
Sandy Pope, New York City Local 805
Dawn Stanger, Vermont Local 597

Alternates:

Larry Macdonald, Atlanta Local 728
K.W. Phillips, Memphis Local 667
Bill Sercombe, Jackson, Mich., Local 164

Who We Are

CONVOY DISPATCH is the voice of Teamsters for a Democratic Union. We are the united rank and file movement to reform the Teamsters, created out of the merger of PROD and TDU.

We are truck drivers, dock workers, production workers—every kind of Teamster, and spouses, too.

We are a grassroots organization with chapters from coast to coast in the USA and Canada. We believe in returning this union to the membership and we are doing it. We are a democratic organization in which every member has a voice and vote. Our 15-member International Steering Committee was elected in October 2003 for one year. Our Rank & File Convention had 300 representatives present.

We are proud Teamsters standing up for our rights. TDU invites all Teamsters interested in defending our contracts and reforming our union to join us. We do reserve the right to exclude those who are opposed to TDU and its principles.

Rank & File Bill of Rights

I. DEMOCRATIC BY-LAWS. All business agents and stewards should be elected. Vacancies in office should be filled by special election within three months. Local union committees should be elected. Contract and strike votes should be by majority (not two-thirds). All contracts should provide for elected officers retaining company seniority.

II. DIRECT ELECTION OF OFFICERS. General President and all International officers should be elected by the membership. International VPs elected by regions. An end to trusteeships and split-off locals.

III. A FAIR GRIEVANCE PROCEDURE. Innocent until proven guilty, right to remain on the job until final procedure completed. Grievance procedure should include right to a speedy trial, arbitration by peers, and the right to strike if necessary.

IV. PRESERVATION OF WORKING CONDITIONS. The union's purpose is to expand and preserve what we have, not trade it away for anything less. People come first, not productivity.

V. SAFETY AND HEALTH. We have the right to enter the workplace without fear for our health and leave in the same condition we arrive. Teamsters should have the right, backed up by our union, to refuse unsafe work or hazardous conditions. We are not machinery.

VI. EIGHT-HOUR DAY AND FIVE-DAY WEEK. Forced overtime and unfair dispatch rules destroy our family life and cost us jobs. No mandatory overtime, "flexible" work weeks, or 70-hour slavery. We are for the advent of the four-day work week. We work to live, not live to work!

VII. A DECENT PENSION. Every dollar in the pension funds belongs to us. We are entitled to 25-and-out, cost of living on pensions, and union pension trustees elected by the rank and file and retirees to safeguard our money.

VIII. JUST SALARIES FOR OFFICERS. A union officer can't understand the problems of members who make less than half what he makes. No officer should make more than the highest paid working members in his jurisdiction. No multiple salaries from union, company, or government sources, or special fringes and pensions. Salary increases limited to the average increase for membership, and subject to membership approval.

IX. EQUALITY AMONG TEAMSTERS. Bring all wage levels up to the highest standards, not a lot for the few and little for the many. Fight the hardest for the lowest paid.

X. END TO DISCRIMINATION. Employers have used the differences in age, race and sex to divide us for decades. We oppose these injustices and divisions. Support affirmative action to correct past injustices. Employers should bear the cost of their past discrimination, not the members.

How to Contact TDU

We want to hear from you. Contact us at the addresses below for more information about TDU, or to send us articles or letters.

National Office: P.O. Box 10128, Detroit, Mich., 48210. Phone: (313) 842-2600. Fax: (313) 842-0227. e-mail: tdudetroit@tdu.org Website: www.tdu.org

NY Office: 104 Montgomery St., Brooklyn, N.Y. 11225 Phone: (718) 287-3283. Fax: (718) 287-3287. e-mail: tdueast@tdu.org

E-Mail Your Letter

Either visit our web page at www.tdu.org and use the link provided there, or e-mail your letter to letters@tdu.org.



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STAA Provides Protections

Your Rights When Faced with Bad Weather

by Paul O. Taylor
Attorney at Law

Winter is now in full swing and truck drivers will face snow-covered, icy roads throughout the Plains, the Northeast and the West. At times, they will face the decision of whether or not it is safe to drive. Of course, the driver's decision may differ from his dispatcher's decision. When this conflict arises it is generally the driver's decision that will legally control who is right and who is wrong.

The United States Code of Federal Regulations [49 C.F.R. §392.14] provides in pertinent part as follows:

Hazardous conditions; extreme cau-

tion. Extreme caution in the operation of a commercial motor vehicle shall be exercised when hazardous conditions, such as those caused by snow, ice, sleet, fog, mist, rain, dust, or smoke, adversely affect visibility or traction. Speed shall be reduced when such conditions exist. If conditions become sufficiently dangerous, the operation of the commercial motor vehicle shall be discontinued and shall not be resumed until the commercial motor vehicle can be safely operated.

This regulation does not provide a clear test for when a driver shall discontinue operations due to bad weather.

The Surface Transportation Assistance Act (known as the STAA) prohibits an employer from disciplining or firing a commercial driver because that driver refuses to drive a commercial motor vehicle on the highways in violation of Federal safety regulations. The STAA also prohibits an employer from disciplining or firing a commercial driver because that driver refuses to operate a commercial vehicle when he has a "reasonable apprehension" of serious injury to himself or the public because of the vehicle's unsafe condition.

When a driver claims that he has been wrongfully disciplined or fired in violation of the STAA, his case may be heard by officials of the U.S. Department of Labor (DOL). The DOL has decided only a handful of cases where a driver has been fired for refusing to drive due to bad weather.

In the case of *Robinson v. Duff Truck Line, Inc.* (1993), a motor carrier fired a driver because the driver did not even attempt to drive in what he claimed was bad weather. The carrier argued that the language in the regulations that says "the operation of the commercial motor vehicle shall be discontinued" when weather is sufficiently hazardous meant that the driver must at least start a run before refusing to drive due to hazardous weather.

The driver, Robinson, testified that television stations issued weather warnings advising against driving on the highways which were on his route due to icy conditions. Based on this he refused to drive and the carrier fired him.

The Secretary of Labor rejected the carrier's argument that a driver must at least begin his run before he can refuse to drive due to bad weather, stating that it would create an absurd situation of drivers being compelled to take their vehicles at least out of the terminal gate.

When You Can Refuse to Drive

From a review of cases won and lost we can discern several rules about when a driver can refuse to drive due to adverse weather conditions.

► A driver may refuse to start work if the weather is sufficiently hazardous at or near the time he is scheduled to begin as to make it unsafe to operate a com-

mercial vehicle on the highways.

► A driver cannot speculate unreasonably into the future regarding what the road conditions will be beyond a few hours.

► A refusal to drive due to adverse road conditions must be reasonable. The refusal should be based on the driver's personal observations, weather reports from the radio and television, calls to the Department of Transportation or Highway Patrol, if possible, and information received from other drivers if such information is available.

► Additionally, the driver should be able to articulate for a Court the precise facts that led him to believe that it would have been unsafe for him to operate a commercial vehicle on the highways.

Remedies

If an employer illegally fires or disciplines a driver for refusing to drive a commercial vehicle in dangerous weather, the driver can seek relief under the STAA. A driver must file a complaint with the federal Occupational Safety and Health Administration within 180 days after he receives notice of the illegal discipline. OSHA will investigate a complaint filed under the STAA and thereafter issue a decision. If any party objects within 30 days to OSHA's decision, the case will be assigned to an Administrative Law Judge for consideration. The STAA provides broad relief to an employee who is successful in proving that he was illegally disciplined or fired. A successful claimant is entitled to reinstatement, expungement of his work record, back pay, other damages, attorney fees and legal costs.

Ultimately, the professional truck driver is the best judge of whether road conditions are so hazardous that he should not drive. He must act reasonably under the circumstances. If he acts reasonably in refusing to drive due to dangerous weather conditions, and clearly conveys his reasons for refusing to drive to his employer, then the employer may not legally fire or discipline him for refusing to drive because of hazardous road conditions.

Paul O. Taylor is an attorney with the Truckers Justice Center in St. Paul, Minnesota. He can be reached at 651-454-5800. This article is reprinted from a longer article, available from TDU by request.

Freightlines

Hours of Service Compliance Raising Lots of Questions

The Federal Motor Carrier Safety Administration (FMCSA) has fielded thousands of calls regarding the newly implemented hours-of-service rules. A large portion concern the 34-hour restart period. Others have questions about the 60/70-hour workweek change. Many are asking about the 10-hours-off rule. The FMCSA provides a toll-free hotline that is staffed 24/7: 1-800-598-5664.

Teamster drivers employed by Yellow-Roadway get calls from dispatch after eight hours off (call on eight hours to report on 10). This practice doesn't fit the intended goal of the new rule that allows for 10 hours of *uninterrupted* time off the clock. But the FMCSA so far is unwilling to stop the practice.

Most Teamster employers are giving drivers the choice of utilizing the 34-hour reset (when not out of hours) or not. The FMCSA states that this issue is optional and "a matter between the driver and the motor carrier," hence an important issue for our Teamsters Union to secure. If this "reset" is made mandatory, drivers can be forced over 70 hours in an eight-day period.

The Freight Division of the International Union needs to take action now, before employers get negative practices well established, to protect Teamster working conditions and safety. So far the Hoffa administration is MIA on these issues.

Yellow-Roadway Hits a Pothole

Just weeks after completing their merger, Yellow-Roadway officials reported a quarterly loss. The company reported the Roadway unit would have had an operating loss of \$30 million in the fourth quarter of 2003 if it had been operating separately, excluding acquisition costs. In a conference call addressing the setback, Roadway chief James Staley hinted that more cost cutting may be necessary. CEO Bill Zollars claimed the loss as, "well on its way to being fixed," though he went on to add that: "It was a pretty big surprise to us." The company still expects to save \$30 million to \$50 million in 2004. Zollars maintained Yellow-Roadway would turn a profit this year and stated, "We will do what we need to do to get there." Analysts attributed the poor quarterly results to loss of market share. Competitors such as Old Dominion, Con-Way and Overnite have all reported better-than-expected earnings in recent weeks.

UPS Purchase of Yellow-Roadway a 'Complex Hoax'

Yellow-Roadway CEO Bill Zollars issued a statement calling the widespread internet rumor that UPS was set to acquire Yellow-Roadway a "complete hoax." The rumor spread in late January as a fake press release on UPS letterhead circulated.

Trucking experts, including Professor Michael Belzer, author of "Sweatshops on Wheels," have speculated that UPS may want to acquire a quality LTL carrier (as FedEx has done); but Yellow-Roadway is considered an unlikely prospect due to its size and duplication of networks.

Parker Motor Calls It Quits

Parker Motor Freight, a 77-year old regional freight company based in Michigan, closed the door on operations the last week of January. PMF was one of the few remaining regional carriers that had survived deregulation and employed Teamsters covered under the NMFA.

With the closing announcement, the Parker family thanked "current employees who have sacrificed to keep the wheels turning." Statements from PMF attributed the company's demise to competition from other nonunion firms and independents.

Use the STAA to Make Your Job Safer



The Surface Transportation Assistance Act protects workers from unjust discipline over safety issues.

TDU's **STAA Handbook** is comprehensive guide to using the act. \$8 each; \$6 each for five or more.

Order from TDU by calling 313-842-2600 or order online at www.tdu.org.

Hoffa Stalls, Members Take Action

UPS Teamsters Cheated Out of Part-Time Pension Credit

Members are demanding that the Central States Pension Fund respect its agreement with UPS allowing workers to combine part-time and full-time years to qualify for 20, 25 or 30-plus year pension benefits. The right to combine years was established in the 1965 Reciprocity Agreement that our union brokered between UPS

and Central States.

Central States blames the problem on the IBT. They say that the 2002 UPS contract makes it easier for workers to get credited service for their part-time years. This makes it easier for workers to qualify for Central States benefits that the fund does not want to pay. The IBT

claims that Central States knew about this provision at the time the UPS agreement was negotiated and didn't object.

Teamster President James Hoffa wrote Central States last Dec. 3 threatening a lawsuit by the IBT. But so far Hoffa has been all talk and no action. It seems he is reluctant to sue the members of his own executive board who serve as pension fund trustees. These include IBT Vice-Presidents Fred Gegare and Phil Young, who ran for office on the Hoffa slate.

Kevin Bowman of Local 100 in Cincinnati stands to lose \$500/month in retirement benefits. "I'm going to have to retire wondering if I am going to get the benefits I was promised in the last UPS contract," said Bowman. "It's time for Hoffa and the IBT to enforce the agreement."

Members Take Action

If the IBT won't stand up to the pen-

sion fund trustees, TDU will. If you have been affected by this denial of credit for part-time years, contact TDU at 313-842-2600.

Any documentation you have from Central States or UPS regarding your years of credited service and the reasons they are being denied would be useful.

If you will need part-time credit in order to qualify for Central States benefits but have not applied yet, here is what you should do:

- Apply for the credit immediately, even if you don't intend to retire any time soon.
- Write both Central States and UPS and invoke the right to a "partial pension" under the 1965 Reciprocity Agreement. Request information on how much credit each fund will grant you.
- Exhaust all internal appeals of any negative decision by Central States.
- Contact TDU for assistance.

UPS & Downs

Arbitration Victories End Two Major Contract Violations

UPS suffered two major setbacks this January in its never-ending campaign to undermine the contract. Both involved arbitration cases in Virginia.

Arbitrator Howard Edelman ruled that UPS had violated the contract by forcing workers to go through a double pay progression. The 2002 contract contained new and improved language on this issue, which UPS promptly ignored. As a result, workers bidding into permanent full-time driving jobs took massive pay cuts (or turned down the opportunity in order not to take a cut).

In the end, millions of dollars will be restored to members as a result of this victory.

The other case involved benefit fund payments. UPS decided to test the waters on this issue by suddenly refusing to make benefit-fund contributions when employees took more than a week of vacation at a time.

UPS took this step at a time when benefit funds were taking big losses as a result of the stock market decline.

Arbitrator David Vaughn rejected UPS's argument that they had mistakenly been paying these contributions (for 38 years!). The decision restores millions to the Virginia benefit funds, reaffirms members' right to take multiple weeks of vacation at a time, and discourages UPS from taking similar action against other benefit funds.

These rulings also show how important it is to have the right to take cases to arbitration. This right was won during the 1990s. Previously, the final step in the grievance procedure was the national panel, where many a good grievance met its end, was horse-traded or settled on poor terms.

UPS Hits New Records for Volume, Revenue, Profit

UPS revenue rose 8.2 percent in the fourth quarter of 2003, with both domestic and international operations showing strong volume gains. UPS workers in the U.S. delivered a record 13.8 million packages per day on average during the quarter, 4.9 percent more than during the fourth quarter of 2002. Ground volume was up 5.2 percent. Next Day Air rose 3.5 percent.

Fourth quarter revenue was \$8.93 billion and after-tax profits of \$856 million. Without adjustments resulting from a tax settlement and other items, UPS fourth quarter profit for 2002 was \$670 million.

Year end figures are also extremely favorable. Consolidated revenue reached a record \$33.5 billion, operating profit rose to \$4.45 billion and after-tax profits were \$2.9 billion for the year.

UPS Passing on Benefit Cuts to Part Timers, Others

Around the country, UPS is trying to take advantage of the cuts by the Central States Fund to squeeze members' benefits even more. Part-time workers in St. Louis Local 688 have received letters from UPS saying their health and welfare costs will be raised to match Central States. UPS says it is obligated by Article 14, Section 5 of the Central region supplement, which says that UPS part-time health benefits must match the benefits of "full-time employees in their area." But most full-time UPS employees in Local 688 are not in Central States Health and Welfare, they are in a St. Louis area plan. Even if they were, the only way the union could "obligate" UPS to cut benefits would be to sue them for violating the contract by paying higher benefits, something they are not likely to do.

In Cincinnati, management circulated a memo about the Central States cuts saying, "At this time, health and welfare package changes do not apply to Local 100 members." Local 100 UPS workers are not in Central States health and welfare. So what does UPS mean by "at this time" the cuts don't apply? You can bet management is scheming to pass on the benefit cuts to as many members as possible.

The ABCs of UPS Basic

In November UPS started diverting certain package volume to the U.S. Postal Service for final delivery. At the time, UPS said that this would be restricted to packages destined for rural deliveries. They also said it would involve new work

An initial survey of Teamsters about UPS Basic reveals that packages destined for urban deliveries are also being handed off to the postal service. One driver in Nebraska estimates that 65 percent of his UPS Basic is "urban stops that I should be delivering." Another driver observes that "UPS declares that an entire zip code is a rural address and is allowing Brylane [one of the shippers] to use the basic service to deliver anywhere in that zip code."

Shippers using UPS Basic include: Gevalia Coffee, Chadwicks, Lauren Clothing, Roamans, Lerner, Reinke, Smart Choice, Real Comfort, King Size, Lane Bryant and Brylane.

Whether the work is new or not is subject to debate. Some of these shippers, like Brylane, already had accounts with UPS. Others were formerly UPS accounts.

The subcontracting of our work to the postal service is a major attack on the contract. And this is just one of a number of areas where UPS disregards contract terms. Many UPS members feel that much stronger action on the part of the IBT is needed to address this serious issue.

Make UPS Play by The Rules

Guide to Enforcing the UPS National Contract

This 160-page pocket-sized booklet is a must for all UPS Teamsters. All of the major contract articles are covered in an easy-to-use format. \$10 each; \$8 for 5 or more.

Send me _____ copies.

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Return to TDU, Box 10128, Detroit, MI 48210.

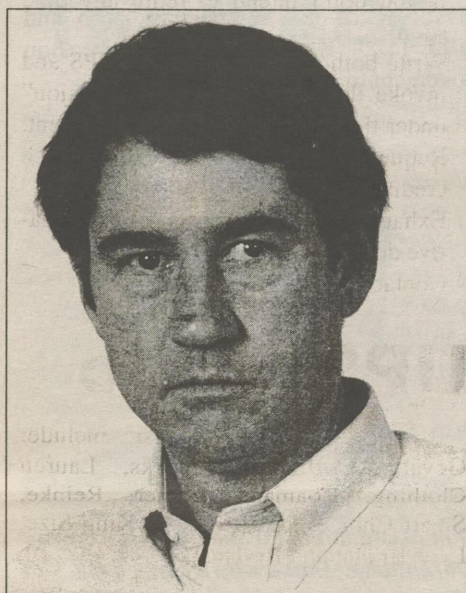
Teamster
Rank & File
Guide
to Enforcing
the UPS
National
Contract

UPS Gets a Pass from Commercial Vehicle Enforcement

Paul O. Taylor
Attorney, St. Paul, Minn.

In November 2003, I represented two drivers in separate cases against United Parcel Service. In one case, the driver claimed that UPS had illegally disciplined him because he refused to drive without first being allowed to complete commercial vehicle inspections to his satisfaction. The other driver claimed that UPS had disciplined him for driving too slowly (including down a lengthy six-percent grade in Arizona).

Court testimony revealed something



Paul O. Taylor is a transportation attorney in St. Paul, Minn., who has helped many truck drivers enforce their truck safety rights. He can be reached at Trucklegal@comcast.net or by phone at 952-224-9166.

that many UPS drivers likely are aware of: UPS has not been anywhere near as strictly scrutinized by commercial vehicle enforcement agencies as are other motor carriers.

In the case of *Calhoun v. United Parcel Service*, Robert Tynes testified as an "expert witness" for UPS. Tynes has held a variety of jobs with agencies of the U. S. Department of Transportation. His last position was as Georgia State Director for the Office of Motor Carriers. As such Tynes was responsible for enforcement of the truck safety regulations in Georgia.

Remarkably, Tynes was quite unapologetic when he testified about the special treatment that UPS received from regulators. He testified that UPS's "reputation is so good that people have a tendency not to inspect their equipment unless they see an out-of-service defect as it goes through a scale."

Tynes also testified that "UPS was not one of the carriers we just as a matter of course inspected." He testified that UPS was not ranked high in the inspection selection systems, "which nowadays would mean that they would get a pass in most cases, right past the scales."

The idea that regulators would give any carrier, regardless of past reputation, what amounts to near amnesty from truck safety inspections is extremely alarming.

Another case, *Greg Krahn v. United Parcel Service*, also revealed this disturbing bias. Max Lebleu, Safety Program Manager for the Arizona office of the Federal Motor Carrier Safety Administration testified as an "uncompensated

expert" for UPS. Significantly, Lebleu indicated that UPS was not a candidate for a safety inspection by his office.

This, of course, leads to the obvious question: *How can the regulators know whether or not UPS equipment complies with Federal Motor Carrier Safety Regulations if they do not inspect the equipment?*

To Lebleu's credit, he testified that he would "cite" UPS for violations after this attorney showed him evidence that UPS condones (and encourages, using a variety of means) the exceeding of speed limits by drivers. My client drove less than the posted speed limit over concern for his safety and was discharged.

Tynes, in Calhoun's case, testified that UPS's out-of-service rate for equipment is "just over 10 percent and the national average is over 24." However, Lebleu testified that vehicles are put out of service only for serious violations where equipment is unsafe to be on the highway. Tynes testified, "So, you just don't find problems with UPS equipment on the road." The problem is that you "just don't find problems with UPS equipment on the road" if the regulators do not conduct inspections of UPS equipment.

To be sure, commercial vehicle enforcement officers do occasionally inspect UPS equipment. The roadside inspections that regulators have conducted of UPS equipment over the past two years indicates that approximately 11 percent of all UPS commercial vehicles inspected were found to have violations of federal safety regulations *so significant that the equipment was put out of service on the spot*. So UPS equipment is often placed out-of-service, even though it is inspected infrequently. This alone would argue against UPS receiving a pass from commercial vehicle enforcement most of the time.

One regulator who was not snowed by UPS was Darrell Smith, safety specialist with the Department of Transportation. On July 15, 1998, Smith investigated UPS's operations at Greensboro in response to a complaint. During their visit to the Greensboro hub Mr. Smith and other officials performed seven "Level One" safety inspections of feeder units that were either ready to leave the hub or were just returning from being driven over the road. Smith placed three of seven (42 percent) feeder units out of service for violations of Federal Motor Carrier Safety Regulations.

I have conducted what is admittedly an unscientific analysis of the ratio of inspections per number of power units



Is It Safe to Drive?

owned or operated by motor carriers by reviewing the "Safer Systems Snapshots" on the web, which compiles vehicle inspection information from enforcement officers. In a 24-month period prior to Jan. 15, 2004, UPS operated 58,602 power units and was inspected 3,523 times in roadside inspections. UPS equipment was placed out of service 10.8 percent of the time when it was inspected. UPS equipment was inspected at the remarkably low rate of one inspection for every 16 power units.

But wait a minute. Are there carriers that have better records than UPS but are still inspected at higher rates? You bet. See the chart "Vehicle Inspection Rates" this page.

Other Teamster Employers

Other Teamster-organized companies also experience much higher inspection rates than does UPS. (See chart.) Some of these carriers could be considered to have relatively "good" safety reputations.

So we see that the rate of inspection for many other Teamster-organized carriers is approximately one inspection for every two pieces of power equipment, while the rate for UPS is one in 16.

The Teamster companies set forth above have a greater frequency of out-of-service items, when inspected, than is found when UPS trucks are inspected. But one must wonder whether UPS would have a much higher percentage of vehicles tagged out-of-service if commercial vehicle officers did their jobs and inspected UPS with the same frequency as they inspect other motor carriers.

A random check of more than 100 motor carriers operating 100 or more power units indicated that not one carrier was inspected with less frequency than UPS, or at a rate of inspections close to that of the inspections performed on UPS commercial vehicles by law enforcement.

I do not contend that my analysis was scientific since I only looked at the out-of-service information for slightly more than 100 motor carriers. However, the testimony of Tynes and Lebleu, as "experts" for UPS in two separate cases should disturb anyone concerned about commercial vehicle safety. UPS should not get a pass from those who enforce the Federal Motor Carrier Safety Regulations.

Vehicle Inspection Rates

By comparison with UPS (10.8 % out-of-service rate), the following four motor carriers with lower out-of-service rates for equipment were inspected at the following rates:

Carrier	No. of Inspections	No. of Power Units	Equipment Out of Service Rate
Heartland Express	3,011	2,805	8.2%
Wal-Mart Transportation	3,281	5,382	6.5%
Lessors Inc.	346	191	9.5%
Maverick Trans.	833	869	9.8%

Teamster Employers with Higher Inspection Rates:

New Penn Motor	408	821	11.8%
Roadway Express	4,564	8,989	19.1%
USF Holland	2,517	4,405	13.7%
Yellow	4,799	8,093	17.7%
Cassens	458	1,032	14.2%
USF Red Star	819	1,207	23.1%

Battle to Restore Good Teamster Benefits

Recent Shifts Could Turn the Tide

A "perfect storm" is brewing. And this storm is nothing like the one that some Teamster officials and employers have used as an excuse to attack the benefits of working Teamsters and their families. The momentum is shifting. By continuing to organize, we can translate these shifts into major changes in our union.

The single most significant shift has been in the stock market. For 2003 the S&P 500 was up 29 percent, the Dow

Jones Industrial Average 28 percent and the Wilshire 5000 32 percent. This dramatic turnaround has pumped billions into Teamster benefit plans. Central States representatives admit that the funds' assets are up \$2.2 billion.

Perhaps this is one reason why the Central States road show has failed to convince members that the cuts are justified. At meeting after meeting Teamsters have challenged the slick presentations,

videos and smooth talk. If the IBT and the fund thought sending representatives to union meetings would stamp out opposition they miscalculated badly.

Other recent developments are a cause for hope for members (and dismay for those responsible for benefit cuts):

- On Jan. 28, UPS announced that they were giving up for this year on their congressional proposal that would have further weakened, if not destroyed, union pension plans.
- On Jan. 30, arbitrator David Vaughn ruled that UPS restore \$12 million to the Virginia Joint Council 83 Pension Fund and reinstate the practice of paying benefit contributions while employees are on vacation (see page 4). UPS was clearly hoping to move this attack on benefit funds to other

areas if they had won the arbitration. That threat is now history.

While Teamster employers have pretended to sit back like innocent lambs during this fight, they have much at stake and have been working behind the scenes to advance their position. UPS has been the most visible and aggressive. Now they have suffered some timely blows to their effort to undermine our benefit funds.

These are positive developments, especially when combined with the continued growth of rank and file pension movements in the Central and Southern regions.

The movement for pension justice is a perfect storm that could change the climate in our union for years to come. Let's take advantage of this momentum. Join and build TDU. Keep building the pension movement to keep the pressure on.

The Tide Is Turning Against the Pension Cuts...

► **35-Plus Emergency Meetings.** Over 35 emergency meetings have been held to organize against the pension cuts in places from Detroit to El Paso to Miami. Many meetings have been held in places not previously active in the pension campaign.

► **Local Pension Committees Forming.** Coming out of these pension meetings, local Pension Improvement Committees are being formed in many areas.

► **Thousands Attending Local Union Meetings.** When Central States reps try to sell the benefit cuts to members at local union meetings around the country, they are finding themselves face-to-face with hundreds of angry Teamsters asking tough questions. Atlanta Teamsters showed up with walkers and canes, asking how they can be expected to work more than 30 years in back-breaking jobs.

► **Raffle Raises \$12,000 for Movement.** The raffle started by the Georgia Pension Improvement Committee raised \$12,000 for the pension justice movement. This money will be used to reach out to more Teamsters, support legal expenses and contribute towards an independent financial study of the fund.

► **Raffle Winners.** Winners of the Georgia Pension Improvement Committee raffle were: first prize (\$1000) winner, Shannon Powell, daughter of USF Holland driver, Metter, Ga.; second prize (\$500), Tim Mays of Eden, N.C.; and third prize (\$250), James Brazu, of Atlanta. Thanks to the many who sold tickets and donated.

► **Pension Movement Making National News.** Local 728 Atlanta UPS Teamster Randy Brown was featured on NBC Nightly News on Jan. 9 talking about the impact of the pension cuts. The pension cuts and our pension justice movement have also been featured on local TV news and newspapers in many areas.

► **Movement Is Growing.** Hundreds of Teamsters are joining TDU every month to strengthen our army in the fight against the benefit cuts.

► **Fund's Assets Are Up.** The fund said they were cutting our benefits so deeply because of the stock market. But the stock market increased sharply in 2003 and continues to do well. *The fund's assets increased by \$2.2 billion in 2003. The fund now has \$18 billion in assets.* This turnaround undercuts Central States' arguments for the deep cuts.

... And They Know It!

► **Central States Feeling the Heat.** Central States union chair Fred Gegare is worried about well-organized members with tough questions at local union meetings with Central States representatives. He has written all local unions in the fund and told officials to "keep your membership in check." Gegare and the other trustees who are responsible for the benefit cuts send employees to take the heat because they are too scared to do it themselves.

► **Hoffa Feeling the Heat.** Hoffa and other officials are so desperate that they are blaming everyone but themselves for the cuts. They blame the Pension Benefit Guarantee Corporation. They blame George Bush. They even blame former Teamster President Ron Carey, who has been out of office for six years! The truth is that *no Teamster President before James Hoffa has ever allowed members' pension benefits to be cut.* Hoffa is worried about getting reelected in 2006.

► **IBT Feeling the Heat.** A person identifying himself as an IBT organizer has shown up at recent Pension Improvement Committee meetings in Memphis, Cincinnati, and New Orleans trying to disrupt the meetings. "The IBT is using our dues money to fly this guy around the country to try to sidetrack the pension movement. It's pitiful," said New Orleans Local 270 member Mike Solomon. Officials are also circulating unsigned flyers attacking TDU and spreading misinformation about the pension cuts to try and slow us down.



"We need to hold the employers and the union accountable for the benefits we were promised. That's the whole point of collective bargaining. That's why we pay dues. Get involved in the pension justice movement so that we can demand that accountability."

Dave and Becky Pettengill, Local 332 UPS driver and wife, Flint, Mich.

How We Can Build the Pension Justice Movement

Our strength is in numbers and the army is growing. But winning the battle to restore our benefits will take an organized and ongoing effort. This is a grassroots campaign. That means we need to get working Teamsters, retirees and their families to plug in and stay involved.

Our movement has done well in December and January and keeps growing. The road show put on by Central States has not been able to stop the movement. In most areas, their slick presentation and video have only made members more determined about what we need to do.

Now the challenge is to get new supporters to become active and reach out to more members who have not yet gotten involved. Here are some tips:

► **Set a goal and plan for getting more signatures on the pledge petition.** This is the single most important way that we can demonstrate how many Teamsters are fed up over the cuts. Many petitions have come in. But to reach our goal we will need organized efforts to double or triple our numbers in many locals.

► **Hold a planning meeting.** Large meetings are extremely important, but we

also need to get local committees together to organize the campaign in each area. Contact the TDU office for help.

► **Do a phone bank or calls to supporters.** Talking one-on-one to people who have attended meetings or contacted the campaign is an excellent way to draw them into more activity.

► **Set a date to do leafleting and petition signing at worksite gates.** This is the quickest way to get lots of signatures. It is also an excellent way to get information (bulletins and *Convoys*) into the hands of members.

► **Think of ways to involve retirees in the campaign.** There are numerous ways they can be asked to help carry out plans — leafleting, contacting the media, making calls.

► **Make the campaign visible at work and in the union.** Get out stickers and bulletins. Go early to union meetings with flyers and bulletins. Have the petition on hand. Order buttons and stickers to give to members.

TDU can assist with these plans and any others that you decide to carry out. Contact us to discuss how we can help.

Central States Takes Its Show on the Road

Butch Traylor
Local 728, UPS
Valdosta, Ga.

The Central States Pension Fund traveling road show came to Atlanta's Local 728 union hall on Friday and Saturday, Jan. 16-17. The show starred Al Nelson, Benefit Services Director of Central States. It seems that none of the trustees — Jerry Younger, George Westley, Charles Whobrey, or Phil Young — were willing to face the anger of the members following what one Teamster termed "the greatest betrayal in the history of the Teamsters Union." The biggest star of the show, union trustee chair Fred Gegare, also failed to make the trip. This left Nelson on stage by himself.

Nelson began with a DVD presentation

Hoffa Memo Admits It's Not True

The 'PBGC Takeover' Lie

Members are not buying the excuses given for the benefit cuts, so the IBT has made up a new one. They say that Central States had to cut benefits or the Pension Benefit Guarantee Corporation (PBGC) would take over the plan and cut pensions to \$1,072 a month. Like their other excuses, this one is bogus too. A recent memo sent by James Hoffa to the heads of all local unions confirms that the PBGC take-over threat is just a scare tactic.

Here's the truth about Central States and the PBGC:

- The PBGC only takes over plans that don't have enough money to make minimum payments to retirees.
- Less than one percent of all PBGC plan takeovers are of multi-employer plans like Central States.
- Central States has \$17.7 billion and growing — more than enough to meet its legal obligations.

PBGC Protects Workers in Bankrupt Plans

The PBGC is the federal agency insuring pension plans. It provides reduced pensions to workers whose plans cannot pay minimum benefit levels. The vast majority of pension plans taken over by the PBGC are single-employer plans where the sole company contributing into the plan is bankrupt or near bankruptcy. In the last few years there have been PBGC

Bulletin Compares Benefit Funds

At meeting after meeting one of the questions that Central States representatives cannot answer is, "Why is Central States the only major Teamster fund to make such huge cuts to benefits?"

All other Teamster funds have been hit by the same "perfect storm" yet none have made such extreme cuts as has the Central States. This report looks at what other funds are doing compared to Central States.

Contact TDU or visit www.tdu.org for a copy.

of the *Perfect Storm*, but not the one starring George Clooney caught in the North Atlantic without any hope of survival.

Nelson's version depicts the hard working trustees of the Central States Pension Fund battling against the bear market of 2001 and 2002. It shows how the members selfishly have been retiring and drawing pensions instead of continuing to work until they die.

Nelson produced charts and graphs that showed that the pension was on a collision course with disaster if drastic action wasn't taken. He also blamed the collapse of CF as a contributing factor. Unfortunately, while the original movie was based on an actual event, Nelson's

takeovers of single-employer plans in troubled industries like airlines and steel.

The Central States Pension Fund is a multi-employer plan governed by different rules than single-employer plans. Multi-employer plans are more secure because under federal law:

- any employer who withdraws from a multi-employer plan is required to pay a large "withdrawal liability" to cover its portion of the plan's benefit obligations, and
- if a plan is significantly underfunded, the trustees are required to seek additional contributions from contributing employers.

Because of these protections, PBGC take-over of multi-employer plans is extremely rare. Less than one percent of the more than 3,000 pension plans that have been taken over by the PBGC have been multi-employer plans like Central States.

Hoffa Admits Truth About PBGC

A recent letter sent to the heads of all Teamster locals by James Hoffa confirms this, saying: "Multi-employer plans have never been a problem for the PBGC. In the 27-year history of the PBGC multi-employer program, only 31 plans have received PBGC assistance, compared to 3,122 single-employer plans that have been taken over by the PBGC."

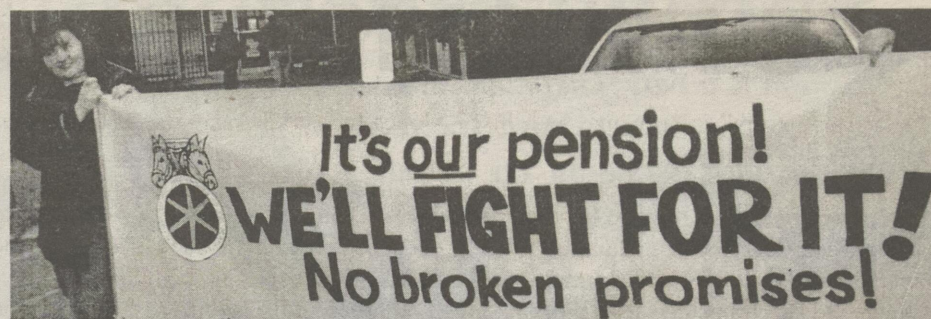
They tell the truth to local union officials, but they lie to the members to try to scare us into swallowing the benefit cuts.

Central States: Up to \$17.7 Billion

Here is another line from the Hoffa memo to local union officials that might surprise you: "Multi-employer plans have plenty of cash to pay benefits."

Though it's still below its high point in the late 1990s, Central States has \$17.7 billion in assets. Its assets increased by \$2.2 billion last year.

So why are our union officials spreading misinformation that Central States is broke and the PBGC might take over our pension plan? Because they are scared of the growing movement to hold trustees accountable and protect our benefits.



Atlanta Local 728 members let Central States Pension Fund representatives and their local officials know they are ready to fight to defend their benefits.

Perfect Storm is more of a work of fiction.

Once questioning began a clearer picture began to emerge. Randy Brown, a member of the reform group Members First, forced Nelson to admit that the fund had had double-digit returns on its investment for the last calendar year.

While making his original presentation Nelson had referenced the total number of CF employees who were idled, but under questioning he backtracked and admitted that not all CF employees were in Central States, and only a small percentage had actually retired.

Nelson also admitted that the fund received the exact amount that it had asked for prior to contract negotiations last year.

Nelson then pointed out that the International had done a new actuarial study. This new study indicated that the 65¢ negotiated in the "greatest contract ever"

would not be enough to maintain current benefit levels as originally promised. When asked for a copy of this study he referred the members to the International. We are still awaiting a response.

Doris Cash, a local 728 member, questioned why Central States and the International waited until after UPS, freight, and carhaul contract negotiations closed to realize this crisis. She added, "Had we known of the crisis many of us would have given up some or all of our raises to keep the retirement benefits." Nelson had no answer. He did say that the trustees had "asked" the companies'

representatives to increase their contributions voluntarily so as to avoid these benefit reductions. Since management have us locked into five- and six-year long contracts with no way to pressure for new revenues, the company representatives must have had a hard time containing their laughter.

The Central States Pension Fund traveling road show seems to be more about letting members vent anger than dealing with the problem. Much of what the International and Central States have been saying is at least misleading and at worst dishonest.

Some have theorized that the International knew that the fund would need more than the 65¢ an hour negotiated but hid the fact until negotiations closed because they were unwilling to strike in order to preserve the benefits, and if they waited the members would just have to live with the disappointment.

Judging from the anger and rage that were evident in Atlanta it might be the International and the trustees of the Central States that could be disappointed.

Each fall elections are held in locals all over the country. The members are organizing and mobilizing to change minds or change leaders.

The contract may not expire until 2008 but the International will have to face the members in 2006 and this betrayal is not going to be easily forgotten.

If there was any question that the old ways were past and the need for reform was over, Hoffa and Gegare have removed all doubt.

Get the Materials You Need to Organize!



Stickers and Buttons

Buttons are 2 1/4"; new, improved stickers are 2 1/2".

Buttons: \$1 each; 50¢ for 10 or more.

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Send Me:

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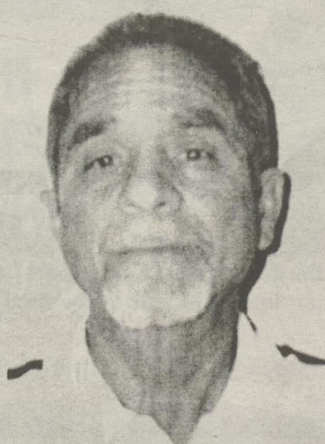
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Spread the Word!

Without *Convoy Dispatch* there would be nowhere to turn for the truth on what is going on in our union. While the IBT, the pension funds and the rest are blowing smoke, *Convoy* gives us the straight information.

I get a bundle of every issue and get them into the hands of Teamsters in my local. You can do the same. Order a bundle today.

Amadeo Bianchi
Local 390, Roadway
Miami



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Western Teamsters Demand Restoration of Pension Credits

Western Teamsters are stepping up a campaign to win restoration of pension accruals by starting to distribute information to fellow Teamsters and raise funds for an independent expert actuarial study of the Western Conference Pension Fund.

The trustees of the fund, including top Teamster officials James Santangelo, Chuck Mack, Al Hobart and Ralph Taurone, cut future benefit accruals in half, effective July 2003. All of these officials participate in multiple pension plans, including the extremely lucrative "Family Plan" funded totally from dues money and not available to working Teamsters.

Consider these facts:

- A preliminary study has already indicated that the cuts were unnecessary.
- The stock market went up dramatically in 2003, increasing fund assets. (S&P 500 rose 29 percent, Dow Jones Index 28 percent)
- Officials such as Chuck Mack and James Santangelo have promised that benefits would be restored as the stock market rebounds. On Jan. 17 Santangelo responded to members' questions by saying that as the economy rebounds in a year or two benefits will be restored. Why not now? Are they waiting until election time?
- James Hoffa, in a Jan. 12 letter to all

local unions, stated that a regulation prohibiting benefit increases unless there is 90 percent funding would "make it almost impossible under any circumstances to raise benefits."

Hoffa says 90 percent funding is high, but his vice presidents in the West are taking the employers' side in demanding 100 percent. *Hoffa admitted that we are right, that a requirement of 100 percent funding is pro-employer and anti-Teamster!*

If you want more information on the battle to win back pension benefits for Western Teamsters, contact TDU, or WESTPIC at PMB 313, 10611 Canyon Rd East, Puyallup, Wash. 98373-4256.

To find out how much the pension cuts are costing you personally, call TDU or use the Pension Cut Calculator at www.nopensioncuts.org.

Donations to help support an expert review of the fund can be sent to TDU, with a notation for "Western Pension Study."



The Grocery Bag

Organize C&S Wholesalers To Save Teamster Jobs

The White Rose distribution center in New Jersey has lost its account with A&P supermarkets to no-union C&S Wholesale Grocers. The result is layoffs of Teamster Local 805 and Local 863 members at the White Rose frozen and dairy warehouses. C&S is using their nonunion warehouses in Maryland and Connecticut to do the work.

C&S became the second largest grocery wholesaler in the country last year after buying Fleming's distribution centers. They had \$11.3 billion in sales in 2003, second only to Supervalu among wholesalers. Some of the distribution centers C&S bought from Fleming are Teamster-organized.

As reported last August in *Convoy Dispatch*, Local 206 President Tom Leedham worked with Local 863 in New Jersey to win the first-ever contract with C&S and a multi-state neutrality agreement for new organizing when he was Teamster Warehouse Director. But the International seems to have dropped the ball entirely on organizing other C&S locations as they resume their attack on Teamster jobs.

AFL-CIO Joins Dairy-Gold Boycott

The AFL-CIO has sanctioned a national boycott of Darigold dairy products. Two-hundred Local 66 Teamsters in Seattle and Issaquah, Wash., have been locked out since last Aug. 31 while the company operates the plants with scabs. The boycott covers all Darigold products including milk, butter, yogurt, and ice cream.

OSHA Grocery Warehousing Ergonomics Webpage

OSHA has a webpage with pointers on how to avoid muscular and skeletal injuries in grocery warehousing work. It's aimed at employers, but includes information useful to workers.

For example, it lists safe and unsafe techniques for order picking. The next time management does a time study, you can insist it be done based on safe picking techniques and not on "short-cuts." Check it out at <http://www.osha-slc.gov/SLTC/etools/grocerywarehousing/index.html>.

Grievances:

Using the Grievance Procedure to Defend Our Rights and Build Power on the Job

The mechanics of the grievance procedure and organizing tips to involve members. \$8

Grievances

Using the Grievance Procedure to Defend Our Rights and Build Power on the Job

A Handbook for Teamsters by the Teamster Rank and File Education and Legal Defense Foundation (TRF) \$8.00

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Unions Fight for Pro-Worker Alternative

Bush's Immigration Reform Plan Is Anti-Labor

Maria Martinez
Local 556 Secretary-Treasurer
Walla Walla, Wash.

Last year Local 556 members proudly joined unions and immigrants' rights organizations across the country in the Immigrant Workers Freedom Ride, a national campaign for immigration reform that would strengthen the labor movement and defend immigrant workers' rights.

Immigration reform is a labor issue. Our bosses understand that. We had better do the same.

When President Bush announced last month that he was proposing "fair and secure immigration reform," we were anxious to hear the details. Unfortunately, Bush's plan delivers big-time for big business, while ignoring the concerns of unions and immigrants' rights organizations.

Bush has proposed a "guest worker" program that is kind of like NAFTA in reverse. Instead of companies moving to developing countries to exploit cheap labor, the proposed "guest worker" program would allow companies to import low-wage immigrant workers.

What about undocumented immigrants who are currently working in the U.S.—including Teamster members in food processing and other low-wage industries? Bush's plan would only allow these workers to apply for a temporary work visa if they are sponsored by their boss!

And what happens if you lose your job or your boss fires you—for standing up for your contract and your union, for example? Under the Bush plan, you could lose your work permit and face deportation.

This "reform" plan would put immigrant workers even more under the heel of their bosses. That is exactly what the labor movement has been fighting. Immigration law shouldn't give bosses information and power to intimidate workers out of standing up for their rights.

Teamster leaders know that when some of our members are intimidated by the threat of deportation, then it's harder to win good contracts or enforce the rights of all of our members.

That's why the 2001 Teamster Convention went on record in support of immigration reform that protects all workers. That's why the heads of the AFL-CIO, and unions like the Laborers, SEIU, and others are all speaking out



Local 556 members at rally for immigration reform that protects workers' rights outside of Smith Frozen Foods.

against the Bush immigration plan.

Unions need to keep fighting for real reform that allows hard-working, tax-paying immigrant workers to come out of the shadows and become lawful residents who don't have to work in fear.

Taking a strong stand on this issue will help our union win better contracts for our members in food processing,

warehousing, manufacturing and other industries.

It will also help us build our union by organizing Latino workers and immigrants who are a growing percentage of the workforce.

Immigration reform is a labor issue. Our bosses understand that. We had better do the same.

Teamster Officials End Most Solidarity Actions

California Clerks Battle Corporate Greed

As of early February, the 70,000 grocery clerks of Southern California continue their strike and lockout against Safeway, Kroger and Albertsons in a major battle to defend health care benefits.

After engaging in a four-week sympathy strike, Teamster International officials pulled the plug and sent 7,000 Teamsters back to work. While some were relieved to return to work, many were also outraged at the decision of Teamster Vice President Jim Santangelo to end the solidarity strike at the distribution facilities.

"We feel like we are abandoning the UFCW strikers," says Rusil Lopez, a shop steward and warehouseman for Ralphs (Kroger) at the Compton distribution facility. "The timing was terrible. First the pickets were extended Nov. 24 after we had already supplied the stores for the Thanksgiving holiday. Then they pull them down Dec. 22 just in time to make us work 12- to 14-hour days to clean up the mess and get ready for the remaining holidays," Lopez said.

To make matters worse Santangelo

undermined future Teamster negotiations by stating the sympathy strike was having no effect and "the one with the most money is usually the winner."

UFCW picketers at the Vons (Safeway) El Monte facility have refused to move and Teamsters at that facility continue to honor the pickets in spite of the back-to-work directive. All Teamsters salute the Vons El Monte Teamsters for showing tremendous solidarity.

This strike has emphasized the impor-

tance of having a strong national strategy to fight fire with fire and take on these giant grocery corporations. The Southern California Grocery Teamster agreement is up in about 18 months and Teamsters better be prepared for a fight. This is a struggle that will shape the future negotiations for years to come.

All Teamsters, and all of labor, need to support striking clerks and do whatever we can to help them win this battle. The contract we save just may be our own.



Supporters picket at a San Francisco Safeway store on Jan. 24.

Get It on Record!

Warehouse Workers Daily Log Book

To fight discipline over production standards, you need the facts. No one can remember the details of their workday weeks later, so use this pocket-size log to keep track of the conditions that can affect your productivity. Each book has space to record 26 five-day weeks, and is bilingual in English and Spanish. \$4 each; \$3 each for 10 or more

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Largest Teamster Local in New Jersey

Local 97 Members Gear Up for New Election

Joint Council 73 has ordered that the Local 97 officers' election be rerun after reform candidates uncovered massive improprieties in last fall's balloting.

"This new election will be fought on an even playing field and we are going to win it," said Mark Kleiner, the presidential candidate on the Team with Integrity Slate. "After we are elected, we want to build a new, stronger Local 97 by involving the members. We're going to start by involving members in this campaign."

Member involvement could spell serious trouble for incumbent officials. Local 97 President John Gerow was widely unpopular even before his two sons—both union employees—were arrested in an FBI sting operation of a loan-sharking and gam-

bling operation linked to organized crime earlier this year. Gerow's grandson, another union employee, was recently barred from the Teamsters for life.

Gerow escaped with a razor-thin margin of victory of 17 votes in the fall election thanks to election fraud and voter turnout of less than 10 percent. But voter turnout is expected to be higher in the rerun thanks to a Team with Integrity campaign that is picking up steam.

"This fight is every members' fight," said Jose Reyes, an environmental service worker at the University of Medicine and Dentistry of New Jersey. "I'm not running for office, but I'm going to do everything I can to win this election. If we want our union back,

we've got to take it back."

The Team with Integrity campaign is off and running. The campaign is focused on informing members, securing their right to vote, and building a volunteer network to involve members and spread the word about the election.

- **Securing members' right to vote:** The Team with Integrity Slate is circulating address correction cards so that members can update their addresses and receive ballots. Thousands of members lost their right to vote when Local 97 mailed their ballots to the wrong address.
- **Signing up new members:** Approximately 2,000 bargaining unit members are agency-fee payers, not full union members, because they have either dropped out or were never

signed up by the local to begin with. The Team with Integrity Slate is giving workers hope that Local 97 can be a real union and enrolling new members—something that Local 97 officials should have been doing all along.

- **Building a volunteer network:** The Team with Integrity is forming volunteer committees at Local 97 worksites and scheduling campaign meetings across the state.

In an attempt to hold on to power, Gerow's "Great Slate" has appealed the Joint Council's decision to the International Union. The Team with Integrity Slate members and supporters remain focused on gearing up for the rerun.

For more information, contact the Team with Integrity at 201-873-5205 or TEAM-INTEGRITY@aol.com.

Local 320, Minnesota

Bylaws Change Challenges Officers' Multiple Salaries

TDU has long opposed multiple salaries for union officers. Members in Minnesota Local 320 introduced a bylaws change in January in order to challenge this practice. It would require Local 320 officers who receive other Teamster salaries to reduce their Local 320 salary by the amount they get from other Teamster affiliates.

makes twice as much or more than the majority of Teamsters she represents in the statewide public sector union. She may work twice as long or hard, but there are only 24 hours in any given day. Juggling three jobs and doing them right can't be easy, but they do pay well.

"Multiple salaries are the institutionalized padding for union officials' wages at the expense of dues paying members," said David Kremer, a groundskeeper at the University of Minnesota and TDU activist. The bylaws amendment offers the opportunity for Teamsters to vote on how their hard-earned dues money is spent. Passing the bylaws change could save the local \$25,000 or more. That's the kind of money that could be targeted for additional membership education and representation.

The bylaws amendment will be read at the February meeting and debated and voted on at the March membership meeting by secret ballot. A two-thirds majority is required to change the bylaws.

'Multiple salaries are the institutionalized padding for union officials' wages at the expense of dues paying members.'

Currently, principal officer Sue Mauren receives paychecks from Joint Council 32 and the IBT on top of her \$75,000 local salary. Based on figures from 2002 documents, it's fair to project that Mauren will bag over \$100,000 in 2003.

With her local salary alone, Mauren

Pittsburgh Teamsters Reject Officers' Pay Grab

Members of Pittsburgh Local 249 were recently informed that their officers were submitting a proposal to amend their bylaws. Well, what might that be? Elected stewards? A local strike fund? Nope! The executive board was proposing a \$10,500 a year raise from officers' present salaries, which currently range between \$63,000 and \$67,000 a year (plus benefits and expenses) — a 16 percent raise.

With six full-time officers on staff this raise would cost the Local 249 membership close to \$70,000 a year. Many members felt that if their local had an extra 70 grand a year lying around it might more appropriately be spent on organizing, membership education or contract cam-

paigns. So they got together and put out a leaflet saying so. They explained the issues and circulated their leaflets at job sites throughout the local, notifying their fellow Teamsters of the time, place and date of the meeting.

Both sides began organizing other members to attend the Jan. 18 meeting where the proposal was voted on. Over 400 attended, a rare occurrence in Local 249.

In fact, the local leadership was able to motivate about 130 of their supporters to attend and support them. But twice as many angry rank and filers attended and voted down the proposal by a two-to-one margin.

TDU Convention 2004 Oct. 22-24, Cleveland

Be a part of setting our union on a new course.

Make plans now to attend the next
TDU annual convention.

Contact TDU for more information.

Labor Shorts



Hoffa Suit Against Carey Dismissed

The Hoffa Administration's lawsuit against former Teamster President Ron Carey and others for allegedly defrauding the Teamsters Union was dismissed on Jan. 29 by a federal judge in New York.

Judith Chomsky, who represented Carey, said she and Carey "feel vindicated." It was clear from the beginning that the civil suit had no basis, Chomsky said. "The IBT pursued [Carey] for political reasons with no chance of success. How much of the members' resources are they willing to waste on a political vendetta?" she asked.

The judge threw the case out without a hearing or trial. This is because even if all the bogus "facts" claimed by the International Union were assumed to be true, the case against Carey still lacked merit.

Teamsters may want to ask the International Union how much dues money they have wasted on legal fees on a worthless case.

Teamsters Organizing Strippers and Boxers?

Last year James Hoffa said the IBT would organize a boxers' union for professional fighters. Now Local 783 is organizing strippers at two Louisville clubs. Local 783 president Denny Norris told the *Louisville Courier Journal*, "We are talking to the professional dancers to see if they do want to join us." The International Union claims our union is focused on organizing in core Teamster industries like freight, package delivery and warehousing.

Wal-Mart Audit Shows Child Labor, Wage & Hour Violations

Ever wonder how nonunion Wal Mart keeps prices so low? The *New York Times* reports that an internal Wal-Mart audit done three years ago shows extensive violations of child labor laws and state laws requiring time for breaks and meals. The audit of one week's time records for 25,000 employees found 1,371 instances where minors worked too late at night, worked during school hours or worked too many hours in a day. It also found 60,767 instances of workers not taking breaks and 15,705 instances of employees working through meal times. The audit is currently under court seal. Wal-Mart officials called it "meaningless."

Early Preparation the Key to Success

Running for Local Union Office

Running for local union office is a chance to do more than change the faces at the union hall. We can build stronger Teamster locals, improve representation, and elect officers who will stand up against the pension cuts and other attacks on members by the Hoffa administration.

More than 150 locals will hold officer elections this fall. Many of those races will be decided right now by the steps that candidates take—or fail to take—to prepare early for this fall's balloting.

"You can change your local leadership, but not with a last-minute effort. You need to start early, doing even little things that build your campaign."

Tim Buban
Local 200 Secretary-Treasurer
Milwaukee

"You can change your local leadership, but not with a last-minute effort," said Tim Buban, who was recently elected principal officer of the 5,500-member Milwaukee Local 200. "You need to start early, doing even little things that build your campaign."

These key early steps should be taken even if you don't have a full slate or you're not sure if you're going to run.

Bring Concerned Members Together

Get your campaign off on the right foot by bringing concerned members together from the very beginning. You do not have to start by forming a slate or nailing down candidates.

Start by focusing on issues, not individuals:

- Talk about the problems that are holding your local back and proposals for positive changes.
- Define some next steps that a committee could take to prepare a run for office—even if you're just exploring the possibility.

Agree on a Platform for Change

Defining a platform or a "program for positive change" is a good early task for your committee. Hold a meeting dedicated to this topic. Let people brainstorm a list of reforms without

criticizing or debating each suggestion. Then discuss the list as a whole and prioritize your goals.

Every local has its own issues. But good platforms have a few things in common:

- They stress the problems that concern most members.
- They focus on positive solutions without over-promising.
- They are short and to the point. Few members will read long-winded statements.

Study Your Local

Early research is key to a strong campaign. You'll want to know:

- Worksite locations and shift schedules
- Contracts: Their strengths and weaknesses at different shops
- Issues: What do members care about in different shops?
- Finances: How are members' dues being spent?

The best way to get this information is by talking to members one-on-one. But there are other steps you should know about.

Reviewing contracts: Under federal law, the LMRDA, every member has a right to review all of his or her local's collective bargaining agreements. Send a written request to the local to make an appointment to review the contracts. In addition to finding out worksite locations, this will give you a chance to research key contracts for information on wage rates, weak language etc.

Financial reports: Every local is required to file financial reports with the Department of Labor each year. These LM-2 forms are available online at <http://union-reports.dol.gov/olmsWeb/docs/formspg.html> or from TDU.

Build a Membership Database

As a candidate, you have a legal right to do mailings to the membership, but you do not have a right to a copy of the membership list or members' phone numbers.

Successful campaigns collect members' phone numbers early and often—using raffle tickets, surveys, petitions, and sign-in sheets from campaign meetings.

You should put someone in charge of putting your contacts' phone numbers into a database that

Start Early to Involve Members

We started planning our campaign early. We developed a plan. We got informed. And we reached out to the members of Local 324.

A late start won't catch the incumbents off guard. But it will catch the members by surprise. They won't know what you stand for or why they should vote for you—and they won't have the opportunity to get actively involved in your campaign.

We won our election because we started early, looked members in the eye and talked about positive change.

If you're serious about transforming your local union, contact TDU. There's no better way to learn how to run a successful election campaign and how to build a stronger local after you're elected.

Cliff Baker
Local 324 Secretary-Treasurer
Salem, Ore.

you can use to get out the vote down the line.

Other Tips

- Make a budget and fundraising plan. Your budget should include funds for mailings to the membership. Fundraisers with low overhead like raffles tend to generate the most funds and the most member involvement, too.
- Make it easy for members to contact you by establishing a post office box, a phone number or voice mail where members can leave messages, and an e-mail address.
- Schedule vacation time in ad-

vance so that you will have time off to campaign during the election.

TDU has more than 25 years of experience in local elections. If you're thinking about running for local union office, contact us today. We can advise you on the ins and outs and even schedule a workshop on legal and organizing strategies for building a successful local union election campaign.



Learn the Strategies that Win

Running for Local Union Office

TDU members have a wealth of experience running local union election campaigns. Learn from others what strategies work, pitfalls to avoid, what your rights are and how to enforce them.

Order the handbook on running for office from TDU. \$10

Send me ___ copies. • check enclosed

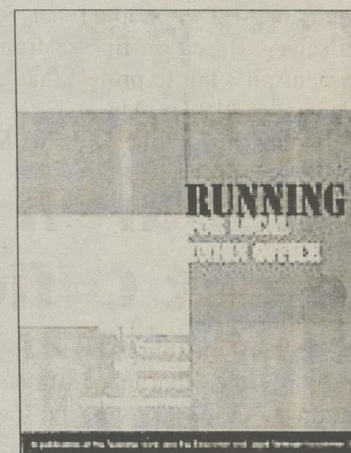
credit card # _____ Exp. ____/____

Name _____ Local _____

Address _____

City _____ State _____ Zip _____

Return to TDU, Box 10128, Detroit, MI 48210



TDU is Teamsters Building a Stronger Union!

With employers gunning for our health care, our pensions and our rights, working Teamsters need a strong union more than ever. TDU brings members together, puts information in our hands, and organizes to put the *movement* back in the labor movement. Join TDU today!

100% Teamster

"I am 100 percent for the Teamsters Union, and I am 100 percent for TDU."

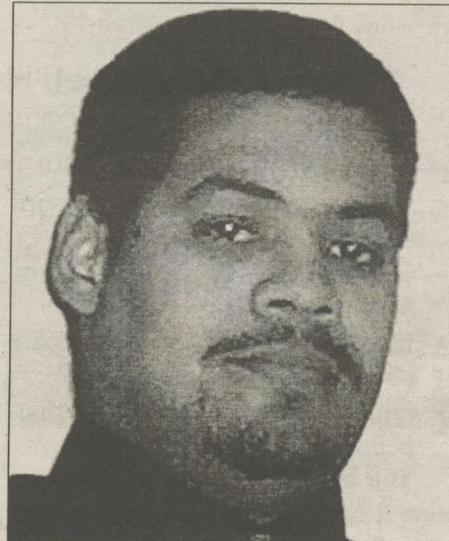
"We can work together, through TDU, to make this a better union."

"I joined TDU this year, along with a lot of other members in Memphis, and I'm proud to be a part of it."

Toni Jackson
Local 667, UPS
Memphis



Building Our Local



"In Local 97, members are pulling together to elect a reform slate."

"Together we can do more than elect new officers. We can build a strong union that defends members' rights on the job and fights for workers' rights in our communities."

"That's why I'm working for Teamster reform and that's why I've joined TDU."

Jose Reyes
Local 97, UMDNJ
Union, N.J.

JOIN TDU

TDU MEMBERSHIP APPLICATION

Name _____ Local _____

Address _____

City _____ State _____ Zip _____

Phone (____) _____ Company _____

e-mail address _____

☐ City ☐ Road ☐ Dock ☐ Clerical ☐ Warehouse ☐ Construction ☐ Production

other _____

____ \$40 one-year membership & subscription to *Convoy Dispatch*.

____ \$95 three-year membership fee.

____ \$25 for spouses, and Teamsters who gross less than \$22,000 a year.

____ \$25 for retirees. Retired from Local _____

Check or money order

Mastercard/Visa # _____ Exp. date ____/____

Date _____ Signature _____

Return to: TDU, P.O. Box 10128, Detroit, Mich. 48210

TDU membership is kept confidential. TDU solicits and accepts membership applications and donations only from Teamsters, retired Teamsters and spouses who are not employers. Only funds from Teamster members and their spouses can be used for campaign purposes.

True Teamster Power

"We worked hard to elect new leaders in Local 705 to set our union in a new direction. But even the best leaders need involved members to build a strong union."

"That's what TDU is about—informing and mobilizing the rank-and-file to build Teamster power."

Roy Kruchten
Local 705, UPS
Chicago

